

Public Hearing

A public hearing was opened at 6:15 p.m., to hear a request by the Muskingum County Commissioners to vacate a portion of 4th Street north of Elberon Avenue. All testimony for and against will be heard.

Commissioner Porter provided a map showing the parking lot plans and it explains the plans nicely. It was passed around for Councilmembers to review. Pat Denbow then presented. The applicant is requesting the vacation of the portion of North Fourth Street located between Elberon and Interstate 70. All parcels are either owned by Muskingum County Commissioners or by the Muskingum County Convention Facilities Authority. The applicants' original request to vacate a portion of Potter's Alley has been removed from this application. The approval criteria were explained. Ever since the interstate cut through, this right of way has been ended leaving the adjacent properties vacant. There has been significant investment being made into the surrounding properties including the resurfacing of the existing City parking lot, and the establishment of the Muskingum County Center for Seniors on 4th Street. Access to the abutting property and all surrounding properties will be open for future development.

The applicant is making this request in order to proceed with plans for a new parking lot. The recent establishment of the Center for Seniors increases the need for additional parking within this area, especially within the Welcome Center and Secrest Auditorium located in the vicinity. This parking lot design will be presented to the Downtown Design Review Board for approval. The future plans allow for a public utility easement and the Public Service Department which will determine any utilities that are within the public right of way and determine any need for utility easements. The Planning Commission is recommending approval. This will provide about 45 parking spaces. The parking will be for public parking, but is primarily to benefit the Center for Seniors. There will be no cost to the City other than the City assisted with the removal of a large tree. Commissioner Porter and Commissioner Crooks were present. No one was present to speak in favor or against this request. The hearing was adjourned about 6:23 p.m.

Public Hearing

A public hearing was opened about 6:25 p.m. to hear a request by the City of Zanesville to amend Chapters 1105, 1109, 1113, 1115, 1137, 1155, 1159, and 1189 of the Planning and Zoning Code. All testimony for and against will be heard.

Pat Denbow presented a PowerPoint presentation with the amendments reviewed. A comprehensive look was taken of the current Planning and Zoning Codes. There were a few items that needed to be taken care of first, basically going through section by section seeing what should be changed and updated. There will be more changes to come, but these are the initial things to be amended.

- Some of the changes are correcting typos and adding clarification.
- We are removing Planned Unit Developments (PUD) as a listed conditional use. A Planned Unit Development is a designation of zoning. We will be striking anything from the Code referencing a PUD as a conditional use.
- A few times in the code where specific fees are listed they will be removed and listed in the fee schedule which requires City Council approval.

- Filing deadlines are clarified.
- Eliminate need to place signs at a property for a Public Hearing as a means of notification. This is not being done and needs to be removed. The newspaper and other forms of notices will still take place.
- 1113.13 is a big table within the code and it will be removed as it is confusing. This information is now included on the application for each specific application.
- We are adding under 1141.05 Financial Institutions to all office districts as a permitted use instead of listing all as conditional uses. (Clarify if a drive-in is on the property it will be a Conditional Use if service is provided without leaving the vehicle.)
- Renumbering will take place as needed.
- 1159.05 is amending dog run code to include all single family homes (in or out of a single family district) and removing number of dogs allowed. Apartment complexes complicated the issue regarding the number of dogs. This is for any single family home and not just in residential districts. This code has always stated a maximum number of dogs allowed on a property. It is listed as a four dog limit. Not sure where this number came from, but we don't want to be arbitrary. Given the way it always read given someone living in a big apartment complex which is all on one property, technically speaking only four dogs are allowed to be in that property. So you could have Kennington Village for instance on Northpointe and we are saying only four dogs can be allowed on that property with all of those apartments and condos. A lot of discussion took place on this topic. In an effort not to be arbitrary we decided to remove this section that lists the maximum number of dogs. There are sections of City Code under the Public Safety section that deals with odor, nuisance issues, so that is why we removed this from the Zoning section. For the purpose of dog runs which is where a dog can be placed within the property. The number of dogs is not covered in Public Safety, but they have provisions for nuisance and odor.
- 1159.07 is to remove section on Fences and replace with a section called Barrier. This clarifies what's required for above ground and in-ground pools. This new section is in depth, but easy to navigate regarding requirements of a swimming pool.
- The Planning Commission did recommend approval. It is currently at the Community Development Committee of Council. It was tabled to have more time to review.

No one was present to speak in favor or against this issue. The hearing was closed at about 6:50 p.m.

ZANESVILLE CITY COUNCIL MEETING – MONDAY, JANUARY 09, 2017

The Zanesville City Council met in regular session at 7:00 p.m. on Monday, January 09, 2017 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

Mr. Vincent led those present in the Lord's Prayer.

Boy Scout Troop 158 from the Euclid Avenue Church led the Pledge of Allegiance to the Flag.

The Mayor and Councilmembers will meet with the Boy Scout Troop after the meeting to answer any questions or to hear comments. We are glad you are here to learn about the process.

The following members of Council answered roll call: Mr. Baker, Mrs. Gentry, Mrs. Norman, Miss Bradshaw, Ms. Gildow, Mrs. Osborn, Mr. Wolfe, Mr. Foreman, Mr. Roberts, and Mr. Vincent.

APPROVAL OF MINUTES

Mr. Roberts moved to accept the minutes of Tuesday, December 27, 2016 as written, seconded by Miss Bradshaw.

Motion carried. The minutes are approved.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

None

PROPOSED ORDINANCES

Ordinance No. 17-01 - Introduced by Council – An Ordinance authorizing the installation of a recognition sign to be placed at the Riverside Dogzville Dog Park.

Mr. Foreman moved for first reading, seconded by Miss Bradshaw.

Mr. Roberts stated it is the recommendation coming out of the Public Service Committee meeting tonight to approve this.

A voice vote was taken with all being in favor. None were opposed.
Motion carries.

We do have a special guest this evening. We welcome Roger Brecht the Zanesville Plant Manager of Nestle Purina. We will also call Mike Alfman and Mayor Tilton to join them. This is to present to the Friends of Riverside Dogzville.

Mr. Brecht said on behalf of Nestle Purina, and specifically the Zanesville Factory, we would like to present a donation in the amount of \$25,000 to the City of Zanesville through the Muskingum County Community Foundation to help with the Riverside Dogzville.

Mr. Bennett added the park has been open for several months. We are starting to get into the time of season when we see fewer participants. It gets a little mushy. This is a great donation by our community partner who really, really likes dogs and pets. They have been a long standing community partner in Zanesville. Mr. Brecht came into town and met with the Mayor, Mr. Bennett, some of the committee members, and Mr. Alfman that is part of the group that have really taken on the task of maintenance, improving, and partnering with us. We made a presentation to Roger and his leadership team and we identified the project. We reviewed what we had as far as resources. What the vision was of the group, which is adding drinking

fountains, shade trees, benches, and other amenities to the park. These items are vital to the public's enjoyment of that facility long term. Roger took it from there. Coming into our community we found out that he kind of likes dog parks. I think in the last stop, you had worked with that community to help get a dog park built. Mr. Brecht said yes, that is correct. For you to take this on, go to your team, take that back to corporate; we really, really appreciate it. I know Muskingum County residents, as well as the Zanesville dog owners; this community partnership it is very much appreciated. Mr. Brecht said he is glad to have partnered with the City.

Mr. Vincent said we appreciate that your company stayed in Zanesville and invested as in your plant, beautifying it, adding to it, and making things much nicer. This is very generous and we really appreciate your support of a great asset to our community.

Ordinance No. 17-02 - Introduced by Council – An Ordinance to Amend Chapters 1105, 1109, 1113, 1115, 1137, 1155, 1159, & 1189 of the City of Zanesville's Planning and Zoning Codes.

Mr. Baker moved for first reading, seconded by Mr. Roberts.

Mr. Baker mentioned this made its way through the Community Development Committee which recommended its adoption and that it go three readings. Not that it is terribly complicated. It is long, so the major changes were discussed line by line with Mr. Bennett and the committee.

Mr. Vincent asked for a copy of the PowerPoint presentation to post on the web-site to help guide anyone that is interested and wants to go through the steps to see the changes.

A voice vote was taken with all in favor of first reading. None were opposed.
Motion carries.

Ordinance No. 17-03 - Introduced by Council – An Ordinance to vacate a portion of Fourth Street between Elberon Avenue and Interstate 70 in the City of Zanesville, Ohio as herein provided.

Mr. Baker moved for first reading, seconded by Mr. Wolfe.

Mr. Baker stated this ordinance also made its way through the Community Development Committee. The committee recommends its adoption. The request is from the County Commissioners for a piece of land that isn't doing the City much good and isn't really viable for much of anything we could figure out in the foreseeable future.

This is the dead end portion of 4th Street that goes into Interstate 70 which is just a little nub and they are going to put parking in there at no cost to the City. The County is paying for that. The City did remove a tree, but no other costs to the City. It will make parking for the Senior Center overflow for Secrest. It will be open to the public so really anyone needing parking in the area of the Welcome Center, Senior Center, or Secrest would be able to park there. It is a nice addition for land that currently is just sitting there and constantly needing mowed.

A voice vote was taken for first reading with all in favor. None were opposed.
Motion carries.

Ordinance No. 17-04 - Introduced by Council – An Ordinance authorizing the use of the State of Ohio Purchasing Program’s Third Party Administrator for bidding/auction of the City’s electric accounts and authorizing the Public Service Director to enter into a contract with the lowest and best priced energy provider and declaring an emergency.

Mr. Roberts moved to waive the readings and it was seconded by Ms. Gildow.

This was a recommendation from the Public Service Committee to approve.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Mrs. Norman moved for passage, seconded by Mrs. Gentry.

A motion by Mr. Roberts, seconded by Mrs. Osborn to amend Ordinance 17-04 by removing from the preamble and under Section Two under the second line the words “lowest and” and replacing “priced” with “valued”. This came as a recommendation from the Public Service Committee tonight. Mr. Roberts said it would read, “A contract with the best valued energy provider” in the preamble and Section Two.

A voice vote was taken with all in favor. None were opposed. Motion carries. The ordinance is hereby amended.

A motion was made by Mr. Wolfe, seconded by Mrs. Osborn, to pass ordinance 17-04 as amended.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 17-05 - Introduced by Council – An Ordinance awarding management services of Gant Municipal Stadium and authorizing the proper City official to enter into a Management/Concession Agreement and declaring an emergency.

Mr. Roberts moved for first reading, seconded by Mr. Baker.

Mr. Roberts said it was the recommendation to approve for first reading tonight and possibly moving forward depending on what the administration is able to come to agreement with adopting this as an emergency further down the line.

Ms. Gildow added to what Mr. Roberts said. There are some changes that were intended in the agreement and a couple of those need to be corrected, so that is the primary reason to have first reading as opposed to waiving the readings for an emergency. Mr. Vincent thanked Ms. Gildow, Mr. Bennett and the Mayor for their work on this agreement.

A voice vote was taken with all in favor except Mr. Wolfe and Mr. Wolfe abstained. None were opposed.
Motion carries.

Ordinance No. 17-06 - Introduced by Council – An Ordinance awarding management services and authorizing the proper City official to enter into an agreement for Management/Concession Services for Riverside Softball Complex, and declaring an emergency.

Ms. Gildow moved to waive the readings and it was seconded by Mr. Baker.

Roll call vote on waiving of the readings.
9 Ayes
0 Nays
Motion carries.

Mr. Roberts moved for passage, seconded by Mrs. Norman.

Mr. Roberts then stated this was also recommended to be passed tonight by the Public Service Committee meeting earlier.

Roll call vote for passage.
9 Ayes
0 Nays
Motion carries. Ordinance is passed.

Ordinance No. 17-07 - Introduced by Council – An Ordinance authorizing the installation of a recognition sign to be placed at the Maple Hill Pickleball Court.

Mr. Foreman moved for first reading, seconded by Mrs. Osborn.

Mr. Roberts said this was recommended and aside from that he wanted to let everyone know this will come at no cost to the City. It will be done by outside entities.

A voice vote was taken for first reading with all in favor. None were opposed.
Motion carries.

Ordinance No. 17-08 - Introduced by Council – An Ordinance approving a Labor Agreement with the Fraternal Order of Police, Ohio Labor Council, Inc., Police Captains, and declaring an emergency.

Mr. Wolfe moved to waive the readings and it was seconded by Mr. Roberts.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Ms. Gildow moved for passage, seconded by Mr. Baker.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 17-09 - Introduced by Council – An Ordinance repealing Ordinance #16-113 which authorized the proper City official to enter into a service agreement for Voice Over Internet Protocol Services and declaring an emergency.

Mr. Roberts moved to waive the readings and it was seconded by Mr. Baker.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Mr. Baker moved for passage, seconded by Mr. Wolfe.

Mr. Wolfe asked about the amount of allocations from the various departments and different enterprise funds as they changed from the previous one and the overall amount is lower. What was the methodology to allocate the costs to the different funds?

Ms. Heskett said it was allocated by phone and number of phone lines. The number of phones since our IT Manager performed some more research the number of phones like in the Water Division did change versus the first time around.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 17-10 - Introduced by Council – An Ordinance authorizing the use of the State of Ohio purchasing program's third party administrator for implementing and hosting of the City's telephone system (VoIP) and authorizing the IT Manager to enter into a contract with the Ohio Department of Administrative Services best priced VoIP provider and declaring an emergency.

Mr. Roberts moved to waive the readings and it was seconded by Mr. Wolfe.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Mr. Wolfe moved for passage, seconded by Mrs. Norman.

Mr. Vincent said he is glad it worked out this way because we will save another \$8,000. We always like saving money.

Mr. Wolfe asked about the length of the contract. Ms. Heskett stated there is no length. Mr. Wolfe confirmed it is hosted until we decide not to continue. Ms. Heskett said yes.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 17-11 - Introduced by Council – An Ordinance authorizing the proper city officials to execute a road dedication plat for portions of Airport Road and Air Park Drive to Muskingum County for public use.

Ms. Gildow moved for first reading, seconded by Mr. Wolfe.

Mr. Roberts said this was recommended to be approved by the Public Service Committee after discussion.

A voice vote was taken with all in favor of first reading. None were opposed.

Motion carries.

ORDINANCES FOR ACTION

Ordinance No. 16-130 - Introduced by Council – An Ordinance authorizing a Tax Increment Financing Agreement with Dutro Real Estate LLC.

Mr. Foreman moved for second reading, seconded by Mr. Baker.

A voice vote was taken with all in favor of second reading. None were opposed.

Motion carries.

Ordinance No. 16-131 – Introduced by Council – An Ordinance authorizing the proper city official to dispose of surplus property known as the Kidzville Play Structure.

Mrs. Osborn moved for second reading, seconded by Mr. Foreman.

A voice vote was taken with all in favor of second reading. None were opposed.
Motion carries.

Ordinance No. 16-132 – Introduced by Council – An Ordinance repealing Ordinance No. 15-128 which established a Tax Abatement on certain improvements to Muskingum County Tax Parcel No. 84-24-03-11-000 AKA 111 North 4th Street.

Mr. Roberts moved for second reading, seconded by Mr. Baker.

A voice vote was taken with all in favor of second reading. None were opposed.
Motion carries.

Ordinance No. 16-127 – Introduced by Council – An Ordinance to amend and revise the zoning map and make permanent zoning in the City of Zanesville, Ohio as herein provided.

Mr. Baker moved for third reading, seconded by Mr. Wolfe.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 16-128 – Introduced by Council – An Ordinance to vacate a 16.5' alley running south off Augusta Street, West of Brighton Blvd. in the City of Zanesville, Ohio as herein provided.

Mr. Baker moved for third reading, seconded by Mr. Foreman.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

TRAFFIC ORDERS

None

MISCELLANEOUS AND UNFINISHED BUSINESS

None

PRIVATE PETITIONS AND COMMUNICATIONS

Non-agenda item petitions filed

Mr. Eric Jones, 221 Luck Avenue, Zanesville, Ohio 43701 speaking on Rehash on appeal, etc.

Mr. Eric Jones took a moment and read the oath of some offices declaring support of the Constitution. Mr. Jones said he carries the Declaration of Independence and Constitution with him. He suggested others do the same and read it from time to time. He stated Mr. Vincent is a tyrant and stated the reasons he believes this to be. Mr. Jones discussed the democracy and tyranny debates and the process. He said Ordinance 1984-4 started this for Zanesville City Council's desire for efficiency. Mr. Jones stated a tyranny is more efficient than a democracy. In a tyranny you are told what to do, you do it and, if not, you are smacked. That brings him to his trial; in a democracy, tyrannical practices are criminalized; in a tyranny, democratic processes are criminalized. So I get out here and I went past the three minutes. Here is the reason for that. Seriously, in a democracy no crime was committed; in a tyranny a crime was committed. The time limit was reached.

Mr. Vincent: Thank you, Mr. Jones.

Mr. David Rogers, 1104 Benjamin Street had submitted a request to speak, but he was not present.

Mr. Tarbert and the Assistant Law Director could not be here as they are out for educational reasons. They did not forget to come this evening.

Mr. Roberts moved to adjourn and it was seconded by Mrs. Osborn. A voice vote was taken with all in favor of adjournment. None were opposed.
Motion carries.

Mr. Vincent stated we stand adjourned, thank you every one and have a good night. The meeting adjourned about 7:30 p.m.